

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

JUL 27 2010 *for*

FOR THE DISTRICT OF NEW MEXICO

MATTHEW J. DYKMAN

CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEVIN DWYER,

Defendant.

CRIMINAL NO. 10-2223

Count 1: 18 U.S.C. § 2422(b):
Coercion and Enticement of A Minor

Count 2: 18 U.S.C. §§ 2251(a) and
2256: Attempted Production of A
Visual Depiction of A Minor Engaged
in Sexually Explicit Conduct.

INDICTMENT

The Grand Jury charges:

Count 1

On or about June 22, 2010 to June 26, 2010, in Bernalillo, Curry Counties and elsewhere, in the District of New Mexico, the defendant, **KEVIN DWYER**, knowingly used a facility and means of interstate and foreign commerce, including Yahoo! online services, a computer and a telephone, to knowingly persuade, induce, entice, and coerce, and did knowingly attempt to persuade, induce, entice and coerce, an individual he believed had not attained the age of 18 years, to engage in any sexual activity for which he could be charged with a criminal offense, that being Criminal Sexual Contact of A Minor in violation of N.M. Stat. Ann. § 30-9.13.

In violation of 18 U.S.C. § 2242(b).

Count 2

On or about June 26, 2010, in Curry County, in the District of New Mexico, the defendant, **KEVIN DWYER**, did attempt to employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction would have been produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce.

In violation of 18 U.S.C. §§ 2251(a) and 2256.

FORFEITURE ALLEGATIONS


Upon conviction of any offense alleged in this Indictment, Defendant **KEVIN DWYER** shall forfeit to the United States pursuant to 18 U.S.C. §§ 2251(a) and 2253 a Panasonic Model DMC-TZ3 digital camera, serial number FH7SC15282R.

A TRUE BILL:

/s/
FOREPERSON OF THE GRAND JURY



Assistant United States Attorney

 07/21/10 11:09am